

real specter of the nullification of an American presidential election. It is, however, at such a moment, when the high standard for impeachment and conviction becomes especially important.

The reason I describe the decision of the American people to elect a president as the most salient fact in this case is not simply because it is the right of the American people to choose their president. It is also because of the constitutional goal of our Founding Fathers to create a system of political stability. Just as the Framers wished to avoid the uncertainty of a parliamentary system, we today in this last year of the twentieth century should be concerned about political instability and the threat that excessive partisanship poses to our constitutional order.

I see the four year elected term of our president as a unifying force in our country. Yet this is the second time in my adult life that a President of the United States has undergone a serious impeachment process. And I am only 45 years old. In the nearly two hundred years prior to the case of President Nixon, this happened only once.

Are these two recent impeachments a fluke? Is it coincidence that two of our recent presidents were thought by some to be sufficiently unfit to be president to warrant this procedure? I wonder how we will feel about the stability of our system if another presidential impeachment occurs sometime in the next ten or twenty years.

I see a danger in this. I see a danger in this in an increasingly diverse country. I see a danger in this in an increasingly divided country. I see a danger when national elections seem never to be over. I see a danger when the lead House Manager in his concluding remarks in this trial asserts that we are engaged in a "culture war" in this country. I hope that is not where we are, and I hope that is not where we are heading.

In making a decision of this magnitude, it is best not to err at all. If we must err, however, we should err on the side of avoiding such divisions, and of respecting the will of the people. Senator James W. Grimes of Iowa, one of the seven Republicans who voted to acquit President Andrew Johnson in 1868, said in his Opinion at the conclusion of the trial:

"I cannot agree to destroy the harmonious working of the Constitution for the sake of getting rid of an unacceptable President. Whatever may be my opinion of the incumbent, I cannot consent to trifle with the high office he holds. I can do nothing which, by implication, may be construed into an approval of impeachment as a part of future political machinery."

Spoken almost 131 years ago, these words express nearly perfectly my sentiments on the grave constitutional questions I was required to address in this case.

MEASURES REFERRED

The following bills, previously received from the House of Representatives for the concurrence of the Senate, were read the first and second times by unanimous consent and referred as indicated:

H.R. 68. An act to amend section 20 of the Small Business Act and make technical corrections in title III of the Small Business Investment Act; to the Committee on Small Business.

H.R. 98. An act to amend chapter 443 of title 49, United States Code, to extend the aviation war risk insurance program and to amend the Centennial of Flight Commemoration Act to make technical and other cor-

rections; to the Committee on Governmental Affairs.

H.R. 169. An act to amend the Packers and Stockyards Act, 1921, to expand the pilot investigation or the collection of information regarding prices paid for the procurement of cattle and sheep for slaughter of muscle cuts of beef and lamb to include swine and muscle cuts of swine; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 391. An act to amend chapter 35 of title 44, United States Code, for the purposes of facilitating compliance by small business with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business, and for other purposes; to the Committee on Governmental Affairs.

H.R. 432. An act to designate the North/South Center as the Dante B. Fascell North-South Center; to the Committee on Foreign Relations.

H.R. 437. An act to provide for a Chief Financial Officer in the Executive Office of the President; to the Committee on Governmental Affairs.

H.R. 439. An act to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small business, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies; to the Committee on Governmental Affairs.

H.R. 440. An act to make technical corrections to the Microloan Program; to the Committee on Small Business.

MEASURE PLACED ON THE CALENDAR

The following bill was read twice and placed on the calendar:

H.R. 435. An act to make miscellaneous and technical changes to various trade laws, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-539, "Motor Vehicle Parking Regulation Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-553, "Child Abuse and Neglect Prevention Children's Trust Fund Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1750. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-561, "Drug Prevention and Children at Risk Tax Check Off, Tax Initiative Delay, and Attorney License Fee Act of 1998"; to the Committee on Governmental Affairs.

EC-1751. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-559, "Harris/Hinton Place and Bishop Samuel Kelsey Way Designation Act

of 1998"; to the Committee on Governmental Affairs.

EC-1752. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-558, "Schedule of Heights of Buildings Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1753. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-573, "Self-Sufficiency Promotion Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1754. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-568, "Fiscal Year 1999 Disability Compensation Administrative Financing Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1755. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-567, "Health-Care Facility Unlicensed Personnel Criminal Background Check Act of 1998"; to the Committee on Governmental Affairs.

EC-1756. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-563, "Lowell School, Inc., Real Property Tax Relief Temporary Act of 1998"; to the Committee on Governmental Affairs.

EC-1757. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-582, "Homestead Housing Preservation Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1758. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-581, "Year 2000 Government Computer Immunity Act of 1998"; to the Committee on Governmental Affairs.

EC-1759. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-577, "Procurement Practices Bid Notice Period Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1760. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-575, "Human Rights Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1761. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-587, "Compensation Increase for the Chairperson of the Rental Housing Commission Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1762. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-586, "Sex Offender Registration Risk Assessment Clarification Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1763. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-584, "Housing Finance Agency Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1764. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-583, "Community Development Program Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.